



12-22-03

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Pharmacia Case No. 00227; MBHB Case No. 03-387-O

In re Application of: )  
 )  
Acker, et al. )  
 ) Examiner: TBA  
Serial No.: 10/634,355 )  
 ) Group Art Unit: 1614  
Filed: August 5, 2003 )  
 ) Confirmation No. 8818  
For: (5R)-(Methylamino)-5, 6-Dihydro-4H- )  
Imidazo [4,5,-ij]Quinoline-2(1H)-Thione )

TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

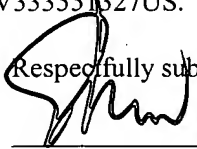
In regard to the above identified application.

1. We are transmitting herewith the attached:
  - a) Information Disclosure Statement;
  - b) U.S. PTO 1449 Form with copies of 6 references; and
  - c) Return Postcard.
2. With respect to fees:
  - a) No fee is attached.
  - b) General Authorization: Please charge any underpayment or credit any overpayment our Deposit Account, No. 13-2490.
3. CERTIFICATE OF MAILING UNDER 37 CFR § 1.10: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service as "Express Mail Post Office to Addressee", addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on this 19 day of December 2003 under the Express Mail label No. EV333551327US.

Date:

Dec. 19, 2003

Respectfully submitted,

  
Emily Miao  
Registration No. 35,285



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**INFORMATION DISCLOSURE STATEMENT**

Sir:

In order to comply with discretionary regulations 37 CFR §§1.97 and 1.98, attached hereto is Form PTO-1449, copies<sup>1</sup> of the documents listed thereon. These documents contain information which the Examiner may consider to be important in deciding whether to allow the present application to issue as a patent.

1. Moon, et al., U.S. Patent No. 5,273,975, issued 12/28/93.

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<sup>1</sup>To the extent that a document is listed and no copy of same is attached, then such document is not at the present time available to the undersigned or is available in the file of a parent application. If a listed document is not in the English language and an English translation is readily available, such translation is also attached; if translation is not attached it is not readily available to the undersigned. If a foreign language patent document is cited, and an English language equivalent is known to the undersigned, then such equivalent patent is also cited on the attached form along with the corresponding foreign language patent and a connecting arrow indicated therebetween; if no such English language equivalent is cited, then none is known to undersigned.

2. Stahly, U.S. Patent No. 4,935,514, issued 06/19/90.
3. WO 90/15058, published 13 Dec. 1990.
4. WO 95/04056, published 9 Feb. 1995.
5. WO 01/40226 A1, published 7 June 2001.
6. P.L. Gould, *Int. J. Pharm*, Salt selection for basic drugs, 33, 201-217, 1986
7. L.E. Fisher, J.M. Caroon, S.R. Russell Stabler, S. Lundbert, S. Zaidi, C.M. Sorensen, M.L. Sparacino, and J.M. Muchowski, *Can. J. Chem.*, Mild hydrolysis or alcoholysis of amides. (Ti(IV) catalyzed conversion of primary carboxamides to carboxylic acids or esters 1,2.

In accordance with MPEP Sections 609 and 707.05(b), it is requested that each document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

The present Disclosure Statement is being submitted in compliance with 37 CFR 1.56 insofar as an Examiner might consider any of the cited documents important in deciding whether to allow the application to issue as a patent, but the citation of each document is not to be construed as an admission that such document is necessarily relevant or prior art. No representation is intended that the cited documents represent the results of a complete search, and it is anticipated that the Examiner, in the normal course of examination, will make an independent search and will determine the best prior art consistent with 37 CFR 1.104(a) and 1.106(b) and, in the course of each

search, will review for relevance every document cited on the attached form even if not initialed.

Early and favorable consideration is earnestly solicited.

Respectfully submitted,

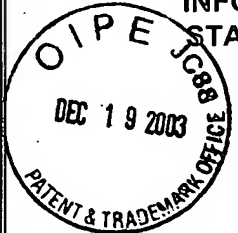


Dated: Dec. 19, 2003

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|---|--|--------------------------------|--------------------------|
| Form PTO-1449   | U.S. Department of Commerce<br>Patent and Trademark Office | Atty. Docket No.<br>03-387-O   | Serial No.<br>10/634,355 |
|  <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b> |  | Applicant: Acker, et al.       |                          |
|   |  | Filing Date:<br>August 5, 2003 | Group:<br>1614           |

## U.S. PATENT DOCUMENTS

| Examiner Initial |    | Document Number | Date     | Name        | Class | Subclass | Filing Dat |
|------------------|----|-----------------|----------|-------------|-------|----------|------------|
|                  | 1. | 5,273,975       | 12/28/93 | Moon et al. |       |          |            |
|                  | 2. | 4,935,514       | 06/19/90 | Stahly      |       |          |            |
|                  |    |                 |          |             |       |          |            |
|                  |    |                 |          |             |       |          |            |
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|                  |    |                 |          |             |       |          |            |
|                  |    |                 |          |             |       |          |            |
|                  |    |                 |          |             |       |          |            |

## FOREIGN PATENT DOCUMENTS

|  |    | Document Number | Date       | Country | Class | Subclass | Translation<br>Yes No |
|--|----|-----------------|------------|---------|-------|----------|-----------------------|
|  | 3. | WO 90/15058     | 13 Dec. 90 | PCT     |       |          |                       |
|  | 4. | WO 95/04056     | 9 Feb. 95  | PCT     |       |          |                       |
|  | 5. | WO 01/40226 A1  | 7 June 01  | PCT     |       |          |                       |
|  |    |                 |            |         |       |          |                       |

## OTHER DOCUMENTS - Including Author, Title, Date, Pertinent Pages, Etc.

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|--|----|--|
|  | 6. | P.L. Gould, <i>Int. J. Pharm.</i> , Salt selection for basic drugs, 33, 201-217, 1986  |
|  | 7. | L.E. Fisher, J.M. Caroon, S.R. Russell Stabler, S. Lundbert, S. Zaidi, C.M. Sorensen, M.L. Sparacino, and J.M. Muchowski, <i>Can. J. Chem.</i> , Mild hydrolysis or alcoholysis of amides. (Ti(IV) catalyzed conversion of primary carboxamides to carboxylic acids or esters 1,2. |

|          |                 |
|----------|-----------------|
| Examiner | Date Considered |
|----------|-----------------|

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with any communication.